IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:)

    Larry S. Yaeger et al.)

)

Serial No.: 09/520,206)   Examiner: Le, Brian Q.

)

Filed: March 7, 2000)

)   Art Unit: 2623

For: METHOD AND APPARATUS)

    FOR ACQUIRING AND OR-)

    GANIZING INK INFORMA-)

    TION IN PEN-AWARE COM-)

    PUTER SYSTEMS

                            Cesari and McKenna, LLP

                            88 Black Falcon Avenue

                            Boston, MA 02210

                            November 15, 2007

CERTIFICATE OF TRANSMISSION

        I hereby certify that the following papers are being electronically transmitted to the Patent and Trademark Office by EFS-Web on November 15, 2007

                                    /Merisa Jakupovic/

                            Merisa Jakupovic

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY BRIEF

        In response to the Examiner's Answer mailed October 29, 2007, Applicants hereby submit this Reply Brief.

ARGUMENT

In responding to the Applicants' arguments contained in the Appeal Brief, the Examiner's Answer cites to new portions of the art of record. This Reply Brief responds to these newly cited excerpts from the art of record.

Independent Claim 1

At p. 11, the Examiner's Answer cites to new excerpts from U.S. Patent No. 5,517,578 to Altman ("Altman") as purportedly teaching Applicants' claimed "ink phrase termination engine". Specifically, the Examiner's Answer cites to Fig. 4A, elements 72 and 77, Fig. 7A, elements 142 and 145, Col. 4; lines 3-4, Col. 5; lines 15-20, and Col. 6; lines 53-67 of Altman. Applicants respectfully disagree that these newly cited excerpts teach or suggest the claimed "ink phrase termination engine".

First, the flow diagrams of both Figs. 4A and 7A describe the detection of ink strokes, not ink phrases as recited in claim 1. Specifically, at Col. 3, lines 1-3, Altman describes Fig. 4A as illustrating the preferred method "for processing ink stroke inputs into lines". Similarly, at Col. 3, lines 16-18, Altman describes Fig. 7A as illustrating the preferred method "for determining whether a stroke is a line type or a shape type drawing". These figures are thus directed to the processing of individual ink strokes.

The excerpt at Col. 4, lines 3-4 of Altman simply discloses that Altman's display device (14) further includes a digitizer for sensing the "proximity of the pen-type input device." At Col. 5, lines 15-20, Altman teaches that its system waits to determine whether the ink strokes entered by the user represent a global gesture until the expiration of a predetermined time period, until the buffer storing the ink strokes is full, or until the

2

pen goes out of proximity. Neither of these excerpts provides any teaching or suggestion

for Applicants' claimed:

> "ink phrase termination engine [which is] configured to examine the ink informa-
> tion collected by the pen driver and, upon detecting the occurrence of an ink
> phrase termination event, to identify a respective end of an ink phrase to the ink
> manager."

> At Col. 6, lines 53-67, Altman states in part that:

> "The present invention first divides the strokes into chained groups, and then as-
> sociates all the strokes in a chained group <u>with a line</u>." (emphasis added)

As discussed in Applicants' Appeal Brief and as confirmed by this excerpt, Altman is

concerned with collecting all of the ink strokes that appear on any given line, whether or

not those ink strokes happen to correspond to numerous ink phrases. This excerpt too

fails to teach or suggest the claimed "ink phrase termination engine".

As shown, none of the newly cited excerpts provide a teaching or suggestion of

"an ink phrase termination engine" as recited in claim 1.

At p. 12, the Examiner's Answer additionally cites to Fig. 5, element 172 of U.S.

Patent No. 5,682,439 to Beernink ("Beernink") as teaching or suggesting Applicants'

claimed:

> "in response to receiving from the client application a reference context affiliated
> with the un-recognized ink strokes of the ink phrase, associates the reference con-
> text with the ink strokes."

Applicants respectfully disagree.

As discussed in Applicants' Appeal Brief, Beernink's pop-up window 168 and

alternates list 170 are generated by its handwriting recognition software. Furthermore, in

Beernink's Fig. 5, the ink strokes have clearly already been recognized, and several alter-

native recognition hypotheses have been presented to the user. Element 172 illustrated in Fig. 5 simply represents the original ink word 172 entered by the user. Applicants submit that Beernink fails to teach or suggest the above-quoted limitation.

<u>CONCLUSION</u>

Applicant respectfully submits that the claims are allowable over the art of record. Accordingly, Applicant requests that the rejection of all claims be reversed.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

_____/Michael Reinemann/_____
Michael R. Reinemann
Reg. No. 38,280
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500